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ABSTRACT

In July 1984, British Channel 4 began televising Case on Camera, a series based on genuine arbitration of civil cases carried out by a retired judge, recorded as it happened, and edited into half hour programs. Because of the Independent Broadcasting Authority's concern for the rights to privacy, a systematic study of public reaction to the series was done. Using a questionnaire based on the fictional series, Crown Court, and the real series, Case on Camera, 500 adult Londoners were interviewed. The study yielded modest claims of viewers' having learned from the series in three areas: (1) details of the law; (2) the atmosphere of a law court; and (3) advantages and disadvantages of the legal system. It was also found that people of lower socioeconomic status claimed to have learned more than those of higher status, suggesting some lessening of a knowledge gap commonly associated with differences in social status. Links with other attitudes toward the broadcasting of courts and legislative chambers were also observed. The results suggest that viewers might more readily come to accept the idea of televising court proceedings if they could be convinced that benefits would ensue, rather than being reassured that no harm would result. Three appendixes contain a description of the study methodology, extracts from viewers' written opinions, and four statistical tables. (CGD)

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RESEARCH DEPARTMENT

CASE ON CAMERA - AN AUDIENCE VERDICT

PAPER PRESENTED TO THE
1986 INTERNATIONAL TELEVISION STUDIES CONFERENCE

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CASE ON CAMERA - AN AUDIENCE VERDICT

In July 1984 Channel 4 began a series in which a retired Judge carried out genuine arbitration of civil cases involving sums not exceeding £500. The videotaped proceedings were edited and shown as half hour programmes. A survey in London yielded modest claims of viewers having learned from the series in three ways: on details of law, on the atmosphere of a law court, and of advantages and disadvantages of the legal system. Importantly, people of lower socioeconomic status claimed to have learned more than did those of higher status, suggesting that some lessening of a "knowledge gap" commonly associated with such differences in social status may have occurred. Links with other attitudes concerning the broadcasting of courts and of other legislative chambers were also observed.

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January 1986

SUMMARY

The series Case On Camera was first shown on British television from July to September, 1984. Drawing from the American show People's Court as well as from the British series Crown Court it set out to show viewers real legal arbitration, recorded as it happened and edited into half hour programmes.

A survey in London amongst over 500 adult viewers showed that over one fifth had been Case On Camera at some time. They were more familiar than this with Crown Court.

Heavier viewers of Case On Camera (who had seen five or more episodes) claimed to have learned from what they saw, to a noticeably greater extent than heavy viewers of Crown Court (who had seen six or more episodes) said they had learned from that.

People of lower socioeconomic status were more likely to say they had learned from Case On Camera, and this was not because, being educated for fewer years they may have had more to learn than had people of higher class status. Although it is based on a measure of claimed, rather than of tested learning, this finding runs counter to a well known "learning gap" theory on which there is much evidence that in other situations it is the more knowledgeable who learn more.

Overall, people welcomed the idea of televising the Houses of Parliament but did not similarly support the idea of broadcasting real court proceedings. People thought that harms were more likely to ensue than were benefits. However, it was an optimistic view of the consequences that pointed to approval of broadcasting law courts more so than a pessimistic view acted as a deterrent. The optimistic view of consequences is also what lay behind the reported experience of having learned from the series.

If broadcasters wish to build approval for the idea of televising (live) court proceedings it is suggested by these results that such approval would be helped more effectively by convincing people of the potential merits of the procedure (one of which is that of its newly demonstrated educational role) than it would be by focussing on countering doubts and fears over the potential drawbacks (even though these are in the forefront of a majority of viewers' minds).

INTRODUCTION

American television has shown a greater readiness than its British counterpart to venture into various individual and institutional "private" territories. Nolan (1982) tells of a series The American Family displaying a real family's ongoing life to a national audience, which was a precursor of a similar British series. The proceedings of legislatures are televised on American cable channels, while in Britain there has as yet been only an ongoing experimental transmission from the House of Lords, and a recent House of Commons vote, in 1985, not to admit television into the Lower Chamber. In America cameras have televised proceedings in criminal courts (see Slater and Hans, 1982) for public viewing, as well as serving to concentrate the presentation of evidence for jurors (Miller and Fontes, 1979).

American analysts are aware of difficulties that the public portrayal of court proceedings might entail. Slater and Hans explain "two possible threats:

- (a) possible adverse psychological impact upon the public and upon the participants in the trial, especially jury and witnesses; and

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- G.R. Miller & N.E. Fontes. Real Versus Reel: What's The Verdict? The Effects of Videotaped Court Materials On Juror Response. Washington, DC: National Science Foundation. Report, 1979.
- T. Nolan From Headline To Hollywood: TV's Scramble For Hot Ideas TV Guide, 1981 August 8, 8-13.
- D. Slater & V.P. Hans Methodological Issues In The Evaluation of "Experiments" With Cameras In The Courts. Communication Quarterly, 1982, 30 No.4, 376-380.

- (b) possible prejudicial publicity and violation of rights of privacy of participants ... especially of jurors and witnesses".

Slater and Hans go on to call for experimentation to determine whether any such negative effects occur, or indeed if positive ones develop. On their heels, however, Barber (1983) reviewed the experimental literature and concluded that "if anything, cameras may help make trials fairer".

In Britain the American example has been examined with care. Jim Greenfield, reporting for the Yorkshire Evening Post (26 June 1984) reassured his readers: "No-one is going to the electric chair ... there will be no climaxes of Perry Mason like vindication of the innocent ... yet when Yorkshire Television's "Case On Camera" makes legal history on Channel 4 next month by settling legal disputes on screen for the first time, much of its power to pull in audiences will be rooted in that fascination courts have for us all ... this series may have been inspired by the controversial American series 'People's Court' but it is really a televised version of the English 'Small Claims Court' said producer Paul Dunstan. I think that its deep attraction will be seeing the Englishman using the law of his land to enjoy his rights and to pursue justice".

Considerable attention was paid to the launching of the series, with much suspicion. Fenton Bresler, a legal correspondent wrote "the motivation to appear has little to do with justice and far more to do with exhibitionism and greed. You can get your face on television and earn money, even if you lose your case" (Daily Mail, 10 July 1984). In this, he was presumably referring to the reports that both plaintiff and defendant received £100 "appearance money" whatever the outcome. The television critic Richard Last (Daily Telegraph, 11 July 1984) wrote "what bothers me most of all are his initial premises. In

a real courtroom anyone ... unfortunate enough to go to law lays ... his cheque book on the line. In Case On Camera the company picks up the tabs". Last's colleague amplified these doubts, writing "... since the company is going to pay any award made and all costs on both sides there is nothing really at stake ..." (Philip Purser, Sunday Telegraph, 15 July 1984).

Bresler quoted, on the other hand, the retired judge Alan King-Hamilton who took part as arbitrator of the cases in the series, as saying "what most attracted me was its educational value. I believe the programmes will help take the mystery out of litigation". He had earlier been quoted by Richard Last (Daily Telegraph, 4 July 1984) as asserting that "these programmes were made by the factual department ... and have nothing to do with entertainment. Everything that took place in the studio would have happened exactly in the same way if the cameras had not been there ... If I thought for one moment that justice was in any way being debased, I would never have agreed to take part in the series".

Another television critic (Christopher Dunkley, Financial Times, 18 July, 1984) saw Case On Camera as a cause for concern: "even if a handful of seemingly serious programmes subordinate ethics to ratings ... television executives must not be too surprised if their medium's image is not what they would wish". This observation, neglecting survey evidence that television has a good public image of credibility, stemmed from Dunkley's earlier amazement of "how little thought seems to be given to matters such as this when you consider how worried broadcasting people appear to be about the public standing of television".

A long standing interest had, however, been developed at the Independent Broadcasting Authority in the issue of rights to privacy (Wober, 1978, 1980) and, as an outcome of this, preparations had been made for some systematic study of public reactions to the series Case On Camera. It is this study which is the subject of the present report.

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- J.M. Wober Psychologists And The Intrusion Of Broadcast 'Programmes' On Personal Privacy. Bulletin of the British Psychological Society, 1978, 31, 1-2.
- J.M. Wober Effects Of Television On The Autonomy Of Its Participants, in A Van der Meiden (Ed) Ethics And Mass Communication. Utrecht, State University, 1980.

RESULTS

Claimed Viewing Experience

The fictional series Crown Court has been shown on ITV for several years. In 1984 it appeared in various regions at various off-peak times; for example, in the London region it ran at 2.00 p.m. on Tuesdays, Wednesdays and Thursdays during the first quarter of the year. Case On Camera had its first series of ten episodes begun in July 1984, on Channel 4. To provide a key to further understanding of claims of having learned from each of these series preliminary questions indicated how many people saw how many episodes of each.

Claims to have seen:

	<u>Crown Court</u>	<u>Case on Camera</u>	
N:	670	670	
	%	%	
Number of episodes claimed seen			
None	47	79	
			*claimed seen
CROWN*(1-5); CASE (1-2)	30	12	over the last
			twelve months
CROWN (6-10) CASE (3-4)	11	6	
CROWN (11+) CASE (5+)	12	4	

Over half the sample who filled in questionnaires (as many as 828 had completed programme appreciation diaries) said they had seen Crown Court at some time over the last twelve months; just over one in five claimed to have seen Case On Camera by the time they were asked the question in the first week of September, at the end of the series' run. The measurements by Audits of Great Britain, for BARB show that

between 2 and 3 per cent of London viewers, or average, saw each episode; this does not accumulate to 25 per cent who saw ten episodes, since some will have seen more than one. However, the self-disclosed estimates from the present questionnaire are not greatly dissimilar to those indicated by the published meter-based measurement system.

The main purpose here is to establish the relative familiarities of, and within each of the two series dealing with courtroom proceedings, and this has been adequately accomplished above.

Claimed Learning From Courtroom Series

After indicating how much they had seen of each of the two legal series, viewers dealt with questions asking them how much, if at all, they had learned from seeing these programmes, in each of three ways. This is what they showed;

	<u>Learned from</u> <u>CROWN COURT</u>			<u>Learned from</u> <u>CASE ON CAMERA</u>		
	<u>details</u> <u>of laws</u>	<u>atmosphere</u> <u>of court</u>	<u>pros &</u> <u>cons</u>	<u>details</u> <u>of laws</u>	<u>atmosphere</u> <u>of court</u>	<u>pros &</u> <u>cons</u>
N:	324	324	324	122	122	122
	%	%	%	%	%	%
Amount claimed learned:						
Nothing	11	11	18	19	24	19
Very little	26	15	20	17	21	21
Just a little	27	19	21	28	21	21
A fair amount	22	30	24	18	17	19
Quite a lot/a great deal	14	25	17	18	18	19

The first point is that more people say they have learned nothing from Case On Camera than who say the same about Crown Court; however, this is not because, as we have seen, more people never saw any episodes of this new series, but it is probably because it has not been seen too often and become familiar. There is a slight indication that viewers of Crown Court claim to have learned more about "the atmosphere of the Court" than those who saw Case On Camera had learned from that series; but a slighter indication still suggests on the other hand that Case On Camera may have been more instructive on "details of laws". Because of the relatively small sample who had seen Case On Camera and the subjective nature of the learning claim, the next step is therefore to try to apportion learning associated with having seen the series, with the number of episodes people claim to have seen.

To deal with these questions it is convenient to compress much of the information by giving a "score" of 1 for saying "nothing at all", through 2 for very little up to a score of 6 for claiming one has learned "a great deal". Then, average scores are calculated for claimed learning, for varying viewing levels.

Average learning score, from seeing	Number of episodes seen of				
	<u>None</u>	<u>1 - 5</u>	<u>6 - 10</u>	<u>11 +</u>	<u>CROWN COURT</u> <u>CASE ON CAMERA</u>
	<u>None</u>	<u>1 - 2</u>	<u>3 - 4</u>	<u>5 +</u>	
Crown Court	3.6	8.6	10.7	11.7	<
Case On Camera	3.3	7.8	10.7	13.0	

Even people who had marked that they had not seen any episodes of Crown Court had an average score of 3.6 in claiming that they had learned from this series (compared with a "bottom line" potential score of 3.0 which would result if all had said they had learned nothing, on each of three kinds of learning). This apparently false level of claimed knowledge may be because the viewing claim was inaccurate, or because the learning claim was, or because some people learned indirectly from other viewers in the family. What matters more is that those who said they had seen any episode of this series had a clearly higher learning score (8.6 or more) which increased the more they said they had seen of it.

Because of a variety of shared underlying attributes (such as of interest and viewing experience in common) people who said they saw more of Crown Court also had greater scores for claimed learning from seeing Case On Camera. However, this difference between heavy and light viewers of one series, in terms of claimed learning from a second series was not so marked as was the gradient of increased learning claims within amounts of viewing for the same series. We can now examine the situation with regard to Case On Camera.

Again, a 'bottom line' expectation of learning absolutely nothing about law from the series if one had not seen Case On Camera (score of 3.0) is not observed. Again, this has to be attributed to imperfect understanding and use of the questionnaire and to the possibilities of indirect learning; however, the extent of measurement error or other such contamination is very small indeed. By comparison the increments in claimed learning from Case On Camera are very marked. Those who have seen five or more episodes had a score of 13.0 over three "types" of learning, an average of over 4 per item, and the score of 4 corresponds to "a fair amount". This amount of learning is accomplished with a viewing claim of having seen five or more episodes, and is greater than the score of 11.7 (less than 4 per item, thus between "a fair amount" and "just a bit") from those who said they had seen eleven or more episodes of Crown Court.

These learning claims are by no means definitive (that is, directly indicating true gains in knowledge); but they are encouraging for those who propounded Case On Camera as a didactic exercise. This is because of their size, both in itself and in comparison with the learning claim scores associated with Crown Court. Secondly, other research gives some reason to believe that people who claim greater knowledge (in the case of the 1983 General Election, and later in the case of the functioning of the House of Lords) do actually score higher on systematic tests of such knowledge (Gunter, Svennevig and Wober, 1986; Wober, 1985).

Attitudes To Televising Law As It Is Made And Applied

At first sight it may seem that the Law Courts and the Houses of Parliament are entirely different kinds of institution. However, as Godfrey Hodgson has observed (Financial Times, 1985) there is sense in analysing the televising of proceedings in the Houses of Parliament and in the Law Courts in a unified perspective. The former institutions provide the stage or arena within which the laws, whose underlying framework has been determined in Parliament, are used in practice. Apart from this legal perspective there is another, existential context which links the two institutions. In the law court the status of individuals is brought up for scrutiny and can be subjected to radical change - innocent or guilty, or required to break a relationship or to pay damages; a drama is enacted whose outcome is real and of deep importance for the main participants. In Parliament the status of institutions within the society is examined and, without questions of guilt, is also subjected to radical change. To televise such proceedings is to widen access very greatly and such enterprise has been keenly debated. The present research could not go far in casting light on such problems, but could provide a useful start in one direction by posing simple propositions and exploring the levels of approval they gain, and more interestingly the ways in which attitudes to such propositions may relate with experience of viewing the two legal series in focus.

Respondents dealt with eight propositions and were asked "how much do you agree or disagree with" each one. Results were as follows:

On suitable occasions TV SHOULD SHOW:		agree		not		disagree		score
		strongly	agree	sure	disagree	strongly		
	code value	5	4	3	2	1		
<u>Parliament</u>								
	N							
Commons: extracts	624	%	13	50	14	15	9	3.4
Lords: extracts	626	%	11	50	14	17	8	3.4
Lords: full, live	643	%	12	42	17	19	10	3.3
Commons: full, live	639	%	14	39	15	21	11	3.3
<u>Courts</u>								
Criminal: extracts	629	%	9	34	15	21	21	2.9
Civil: extracts	635	%	6	31	17	24	21	2.8
Criminal: full, live	635	%	8	22	17	28	33	2.6
Civil: full, live	634	%	7	20	17	33	22	2.6

Whether it is from Parliament or the Law Courts, people would slightly prefer the idea of edited extracts of proceedings being broadcast, rather than full, live transmissions.

While the items on courts went a little way to illustrating what the contents might be specifying (eg. theft, murder) for criminal proceedings and (eg, divorces, damages) for civil proceedings, the respondents still gave greater approval to the idea of broadcasting Parliament than to that of televising the Courts.

It should be remembered that people were not being asked what they would want to watch; they were being asked what television SHOULD show. It is entirely possible that people may believe that TV should show Parliament, but would neglect to watch it themselves, while they acknowledge less social duty to show Court proceedings, but might turn out to watch such things more than they did of Parliament. Clearly, much remains to be discovered on the issue. However, several further steps have been taken to extend the value of the existing information. One step is by a process (see Appendix, Table 1) which examines how different sets of opinions knit together. This shows that attitudes to televising Parliament not only stand at a different level, in general, from attitudes to televising Courts; there is also a general tendency that people supporting television in one House of Parliament agree to it in the other, and those who agree to full coverage tend also to agree to the idea of broadcasting extracts of Parliament; this clarity of opinion for or against showing Parliament is greater than that which is found amongst the four options explored concerning televising of the Courts. This analysis sets aside two other possibilities that could have been supported: there could have been a unified view in favour of televising Courts and Parliament, with

B.Gunter, M.Svennevig & J.M. Wober. Television Coverage Of The 1983 General Election. Farnborough, Gower, 1986.
J.M. Wober, The House On The Screen. London: Independent Broadcasting Authority Special Report, 1985.

people either tending to agree, or to disagree across all eight items; but this possibility was not supported. Secondly, there could have been a format based division of attitudes, with some tendency to prefer edited extracts from Courts or Houses found among some viewers, while others preferred full live transmissions again regardless of source. This format based possibility was also not supported.

Two new scales were therefore devised, and consist of support for televising Parliament (labelled HOUSES) and support for televising Court proceedings (labelled COURTS). Each scale is simply formed by adding the degree of agreement recorded for each of the four items which comprise the scale.

Anticipation Of Consequences Of Televising Courts

Six statements explored what people felt might be the consequences of televising courtroom proceedings, under the question: if TV began regularly to broadcast real court proceedings, how likely is it that each of the following things might happen? Results were as follows:

			Level of Likelihood:					
<u>Harms</u>	Code value		Extr- emely	very	fairly	very	not not at all	Score
			6	5	4	3	2	1
	N							
Dignity & privacy of relations of accused might be harmed	619	%	40	35	19	5	1	5.1
Participants "acting up"	598	%	31	28	28	12	1	4.8
Focus on amusing or scandalous events	582	%	30	31	26	12	2	4.8
<u>Benefits</u>								
Viewers would get to know much more	616	%	17	35	28	15	5	4.4
Good effect on honesty and behaviour of participants	589	%	9	19	22	37	14	3.7
Increase viewers' respect for judges	563	%	7	17	31	34	13	3.7

The same kind of analysis as was applied to the attitudes to whether television should or should not show proceedings was applied to these items about possible consequences (Appendix, Table 1). This showed that expecting a harm of one kind tended to indicate anticipation of the two other kinds of harm clearly more so than any belief in or rejection of the possibilities of benefits. Likewise, those who affirmed one benefit tended to affirm the others to some extent, relatively independently of the likelihood of expecting or rejecting harms. Harms and benefits were not merely reverse sides of a common coinage of expected consequences.

Two new scales have therefore been devised and consist first of expectation of benefits (labelled PROTV) and the next of anticipation of harms (labelled ANTITV). These scales were each composed of scores combined on each of the three questions which compose the groups of items indicated above.

Combining Viewing, Learning, And Attitude Information

What we know about each individual is their age, sex, socioeconomic status ("class") terminal educational age, their claimed levels of viewing of Crown Court and of Case On Camera, their reported learning from each series and four attitude composite scales, which have just been described. As well as all this, we have a count of the numbers of programmes whose appreciation was endorsed in a week, in each of seven programme types - action adventure, soap opera, sport, comedy and light entertainment, news, general interest and information, and films and drama. The final stages of the analysis now are to knit the evidence together (see Appendix Table 2) so as to learn more about what kinds of people claim to have learned from each of the legal series.

With Crown Court it is clear that people who say they watched some or much of it were also more likely to say they had learned from it, with a much smaller common ground shared with heavier viewing claimed for Case On Camera. People who see television as benefiting the relationship between Courts and public were also more likely to say they had learned from Crown Court. Notably, explicit expectation of harms from television did not relate either negatively or positively with learning claims from experiencing Crown Court. No demographic or

amount of actual viewing measures related independently to reported learning from Crown Court (Appendix, Table 2).

With Case On Camera we can affirm (as has been shown above) that people who said they saw any or more of it also said they learned from it, independently of what their educational or attitudinal attributes were. As with Crown Court, people who believe television brings benefits for the courtroom also claimed to have learned more from what they saw, while believing in harms did not relate significantly with claimed learning.

Two demographic elements relate to more marked claims of learning from Case On Camera. These show that older people and those of lower social class say they learned more from their viewing than did younger people or those of higher status. These two links between demographic features of viewers and their learning exist independently of their links with each other, or with other attitudinal or behavioural measures. The Table below shows the "raw" results, without statistical adjustments (of the kind reported in Appendix, Table 3) that affirm that these relationships do not erode away when other mutual relationships between measures are "controlled".

Learning claims averaged across three items, among those who are:

Claim to have learned from:	16-34 %	35-54 %	55+ %	ABC1 %	C2 %	DE %
<u>Crown Court</u>						
A fair amount - a great deal	31	25	41	28	28	46
Very Little, just a little	37	31	28	32	38	25
Nothing at all	32	44	31	40	34	29
<u>Case On Camera</u>						
A fair amount - a great deal	12	11	26	10	15	29
Very little, just a little	16	16	26	17	22	18
Nothing at all	72	73	48	73	63	53

It would seem from this table that older people do say they have learned from Crown Court, more so than younger people do. However, it is also taken into account that lower social class viewers included more older people, and that class was also linked with learning

claims; when these supplementary links have their individual 'pulls' on the age-learning relationship removed, this dissolves into insignificance (Appendix, Table 3). With Case Of Camera both class and age are independently related with amounts of claimed learning.

Notably terminal educational age, which is significantly related with class, and with claimed learning from both programme series (Appendix, Table 4) does not sustain a significant link with learning claims, once all the mutual underlying connections between education, class and learning claims, as well as those involving other measures, have all been mathematically removed (Appendix Table 3).

Educational standing, once the associations with age, sex and class have been discounted has no simple relationship with feelings as to whether television should broadcast the law, in making or in action; nor has education a link with judgements that television would bring benefits or harms overall to the broadcasting of law courts. Social class does have a direct relationship to the former of these judgements; it is people of lower socioeconomic status (and having set aside any associations with their sex, age or educational level) who are more likely to think that the courts should be broadcast, and who are more likely to consider that broadcasting the courts would bring benefits.

Aspects Of The Financial Arrangements Established For The Series

It will be recalled that some television critics were dubious, at the outset, of the implications of the television company having paid the litigants. Viewers were asked their opinions on this with a question based on the following information: "A TV company has set up an arbitration or petty claims court with a legally qualified arbitrator. Imagine that the defendant loses his case and the TV company pays him a fee (more than/equal to/less than) what he has to pay his opponent". They were then asked, for each fee option, to choose whether "in my opinion this should/should not happen", or to say they did not know.

In the event, this question proved difficult to answer, and there were many abstentions. However, results were as follows:

		This arrangement should				Did Group See Case On Camera?	
			rot <u>happen</u>	should <u>happen</u>	don't <u>know</u>	No <u>answer</u>	
		N					
Fee exceeds	125	%	49	5	9	38	YES
loss	502	%	48	2	23	27	No
Fee equals	125	%	40	14	13	33	YES
loss	502	%	35	14	23	28	No
Fee less than	125	%	33	22	14	31	YES
loss	502	%	27	17	27	29	No

The financial arrangement that produced the most explicit opposition, equally among viewers and non viewers of Case On Camera, was that what a defendant receives might exceed the amount he would have had to pay, in losing, to a plaintiff. The next option, that television "fees" would equal a loss was also rejected by nearly three times as many as those who supported the idea; again, there was little difference between viewers and non viewers except for the suggestion that the former were more likely to disagree with this idea. Even the situation in which a defendant would receive a fee less than his loss was rejected by more people than those who approved the idea.

It is noticeable that people who did not see Case On Camera were more likely to actually say they did not know about the advisability of each of these payment options, than to simply offer no answer at all. One possible reason for this may have to do with the relationship between class and viewing Case On Camera; people of lower class, regardless of their educational standing, were more likely to have seen the series (Appendix, Table 4) and some of them may have harboured an element of alienation or disaffection which caused them not to answer the question.

Discussion

The series Case On Camera began with the programme makers expressing educational aims on its behalf. Real disputes between the real disputants were the basis of edited programmes and the arrangements which the producers had felt it necessary to make included that the company would pay each party a fee, and even that it would cover the cost of the loss.

To set the research in a context, and to reflect observations made by a number of critics at the outset, questions for viewers of Case On Camera were paralleled by questions on Crown Court, a long standing fictional series, albeit one that closely reflected real court conditions. Needless to say, there was a much wider reported familiarity with Crown Court, but over one in five said they had seen at least something of Case On Camera.

More people who had seen Case On Camera said they had learned nothing from it, than was reported by people who had seen Crown Court. However, the 'gradient' with Case On Camera was steeper than that with Crown Court: people who said they saw more episodes of Case On Camera built up higher claimed learning scores than were reported by those who had seen much of crown Court.

Although the minority of its heavier viewers make claims of having learned "a fair amount" or more from having seen Case On Camera, people were as a whole against the idea of broadcasting from Courts. Extracts were a better regarded option than were full, live transmissions; but although extracts were approved by about a third of respondents, these were outweighed by equal proportions (of about a fifth of the sample, each) who disagreed, and who disagreed strongly with the idea. Reasons for opposing broadcasting with a system of edited extracts are illustrated by 'open ended' remarks supplied by respondents (see Appendix).

The contrast between the 'public' nature of Parliament, which people saw as a reason why it should be broadcast, notwithstanding the drawbacks of full, or of edited extract methods, and the 'private' nature (in many observers' eyes) of the Courts supplied the reasons put forward why people generally were ready to have Parliament

broadcast, but not so readily the Courts. When all respondents dealt with the same questions, rather than supplying their own observations, the principal drawback to broadcasting Court proceedings proved to be the feeling that the dignity and privacy of relations of the accused might be harmed. The possibility of a developing focus on entertainment, with participants 'acting up' and producers focussing on bizarre content was seen as fairly likely, but was evidently less of a disincentive.

A lesson for broadcasters is clearly that they would do well to dispel doubts that viewers or potential viewers may have concerning the embarrassment to, by the exposure of the privacy of participants, and their "innocent" third parties (for example, children of plaintiffs).

Although the anticipated drawbacks of broadcasting courts were considered more likely to occur than were the benefits, the two groups of circumstances were related in the expected 'logical' manner to viewers' opinions on whether or not Courts should be televised. By a small margin it was the expectation of benefits that was more strongly related to feeling the Courts should be televised, than was the feeling that harms might ensue. Put in the reverse manner, if people did not feel that benefits could ensue, they were very unlikely to approve the idea of broadcasting Courts; if they were sure that harms would not develop they were likely to support the idea of broadcasting - but not to quite such a marked extent.

The implication of this is that viewers might more readily come to accept the idea of televising courts if they could be convinced that benefits would ensue rather than that they need reassurance that harms would not develop. Of course, both these relationships exist, rather strongly; but the stronger of the two is with the idea of benefits and readiness to see Courts broadcast.

A notable finding of this survey has been that people of lower social class say they learn from seeing these two legal series, more so than do people of higher social class. The 'upper class' people are not witnessing less learning because they happen already to be better educated - when the relationship between educational level and learning claims is mathematically 'ruled out' the upper class respondents still have less claimed learning than do those at the

other end of the status scale. This is a relatively unusual finding, and counters the more common result that it is the intellectually better equipped viewers who get more out of their viewing experience, while the less well equipped fall steadily behind.

If there are some aspects of the attitudes of people of higher economic status that stand in the way of their considering Crown Court or Case On Camera as opportunities to learn (while they are also being entertained) this is a doubt which might, if tactfully pointed out, be dispelled to some good purpose. Meanwhile, it seems less necessary to have to persuade people of lower "class" status that they can learn from such programmes, as they appear to realise this more clearly already.

APPENDICES

METHOD

EXTRACTS FROM VIEWERS' WRITTEN OPINIONS

STATISTICAL TABLES 1 - 4

METHOD

For the week of 3 - 9 September 1984 (Week 36) programme appreciation diaries were sent to 1537 members of a London region panel then maintained by the Independent Broadcasting Authority's research department. A total of 828 week-long diaries were returned, a success rate of 54%. On this basis weights were calculated and applied to all results, to render them representative of the demographic structure of the London population aged 16 and over. The weights were calculated from the known numbers required in each of eighteen cells determined by two sex, three age and three socioeconomic status categories. The largest weight was 1.19 and the smallest 0.32. Terminal educational ages are known for panel members, but have not been used as a control variable at the weighting stage.

Together with the programme appreciation diaries a questionnaire was sent out and 670 of these were returned, though not all were fully completed. 627 sheets were still available after the data had been punched, on which to read comments which had been offered by 219 respondents; a selection these comments is provided on pages 16-19. The analysis procedures are basically devoted to two aims:

- * first the aim is to represent the opinions of the viewing population on a range of attitudes concerning the broadcasting of legal proceedings in general, and of civil courts and arbitration in particular.
- * the second procedure is to link the evidence on attitudes and reported patterns of viewing programmes across the whole broadcast range, as well as of the two legal series in particular focus, to point to the kinds of people who claim to have learned (most) from seeing Case On Camera, and the kinds of people who wish to see such material broadcast.

The extracts are selected here to illustrate the representative results shown in the table on Page 9. The extracts are grouped so as to correspond with the questionnaire items to which people indicated their measure of agreement.

HARMS

Dignity and privacy of relatives
of the accused might be harmed (75% agree, 6% disagree)

- having experienced a civil court situation I would have been most upset by television cameras. I feel it is an intrusion into people's privacy. Especially in divorce cases, when the couple involved are at their least able to cope with such a situation -
- it would be a bad thing if every private citizen who finds himself in a court of law would have to face the entire nation on TV! Not only would this be cruel and humiliating for the person accused, it would also 'titivate' the curiosity of those people who live on the mishaps and scandals of others and it will fan mass hatreds and mass hysterias. DON'T DO IT! Please -
- I think actors reconstructing a true case is perfectly acceptable, but criminals and their relatives have a right to complete privacy
- could react unfavourable against innocent people who would be recognised by a wider section of the public making it more difficult to make a fresh start afterwards -

Participants "acting up" (59% agree, 13% disagree)

- We have seen the sham of the American courts. God forbid that publicity would make our citizens just as vain. Justice would suffer -

- I think it is inevitable that if TV cameras were present at any of these events the majority of those taking part would be 'performing' for the cameras -
- Whereas the performance of Parliamentarians might well be improved by the presence of TV cameras (it wouldn't get much worse!) that of the participants in specific legal actions would almost certainly be impaired. P.S. A very interesting topic -
- TV cameras in court would make the judges and possibly the lawyers nervous and embarrassed. This is not good for sound balanced judgements. There would be a good effect on the honesty and behaviour of some in the court proceedings; others could react differently -
- some types of criminal mind thrive on publicity. I think it could encourage people like this if they know they might be on television -

Focus on amusing or scandalous events (61% agree, 14% disagree)

- Obviously the coverage would be byast and not show a true representation particularly on the mundane everyday aspects of court and parliamentary life -
- the media have an unfortunate habit of communicating the most sensational aspects of news, or the most colourful personalities. No doubt Court and Parliamentary programmes would follow this trend -
- Criminal and Civil court cases are nearly always traumatic for the participants. To show them live would only increase this, and pander to the lowest form of voyeuristic morbid curiosity - furthermore, what would happen if a jury came to an 'unpopular' verdict? Would the jury members not be in danger of being publicly pilloried?

- if TV edited film and only showed extracts of Parliament or law courts it is highly possible that it would be biased and also draw more attention to scandal to obtain higher ratings for viewing -
- television is an entertainment operation. 95% of the activities in both Parliament and law courts is not entertaining. In seeking to make it entertaining, television would only make a travesty of the truth -

Other points: Effects/Entertainment/Editing problems

- to bring this into the home would take away the "aura" and therefore respect which these places experience now - people would not understand the jargon and specific use of words which happen in them -
- all court dramas fail to put over the enormous time lag involved in reality cases nor does the script indicate how costly any legal battles can be - and how it affects the people concerned -
- accused would learn loopholes, allowing guilty to escape -
- I do not believe Civil cases should be shown these people are not criminals and mud does stick. Criminals deserve what they get if a man is proved innocent none of the trial should be shown only if guilty -
- this would swallow up a vast amount of viewing time at the expense of usual programmes at present - television - in my opinion - is for entertainment -
- although justice should be seen to be done my sitting room is not the place for details of crime to be thrust at me -
- Court cases, Parliamentary debates etc. are very long and to give fair coverage all the debate, or case must be heard. I don't think that you can command people's attention for that long -

- We have quite enough bad performances already on TV without adding the posturings of the average MP or lawyer. I have seen both. Let the TV planners concentrate on improving the quality of entertainment rather than seek for cheap, ready made abnegations of responsibility -
- Editing, commentary etc. can lead to distortion of facts. If TV showing of Court or Parliamentary proceedings is to take place, the whole must be shown -
- think these should be edited to at least eliminate irrelevant and repetitive action, pauses and statements although dull and inconclusive periods should be included to reflect the true atmosphere of the proceedings -
- strongly disapprove of the practice of "editing" in these contexts - witness the editorial bias(es) of much of the popular press ...
 - (a) the risk of miscarriage of justice would be greatly increased by TV or by editing even the judges do not agree with each other
 - (b) the same "educational" points can be made with a scripted programme highlighting the crucial points
- If these two items are to be seen on TV they should always be live, as editing could or would be biased by the TV station or presenter -
- Extracts mustn't give a biased slant to the proceedings. Real law courts can be very slow moving and the sentences disgracefully lenient -

BENEFITS

Viewers would get to know much more (52% agree, 20% disagree)

- explanation of points of law would be helpful-
- Parliament I think would be boring. Certain Criminal Cases would be interesting to follow and would help in understanding the British Courts behaviour -
- I think it would be useful to show a few 'pilot' programmes starting (if relevant) with the work at the police station, solicitors office and subsequently the court -
- There does seem to have been tendency in fictional programmes to concentrate on "dramatic" performances by lawyers, depicting the judge/magistrate as a caricature. Perhaps showing real life situations would correct this, and also reduce the impression that all court cases are very dramatic (Have been impressed by court proceedings depicted in TVS series THE BRIEF which seem to be fair representation) -
- I would like to know more about 'public' law, i.e. the laws affecting business, large companies, local authorities, and how these, in turn, affect the individual -
- The American programme 'People's Court' shown on Channel 4 is very good in that it makes the public more aware of what they can go to court about. So often people will just sit back and let injustices carry on when they could be putting the matter right. A similar programme restructured to the British law system would be very worthwhile -
- In the main I'm against the televising of court proceedings of all descriptions ... wish I had seen Case On Camera as I thought the American version dealing with 'petty' matters was illuminating on human behaviour -

- TV to me is a source of entertainment. Law courts and Parliament are not entertainment and should only be shown on a channel set aside for learning -
- I believe that if TV showed court proceedings live - this would give the public a far greater understanding of the various laws and might even contribute to putting off a lot of would be criminals particularly (young ones) from crime. However, in nearly all cases the sentences need to be tougher -
- one can learn a lot from watching law cases -

Good effect on honesty and behaviour
of participants

(28% agree, 51% disagree)

- there would be a good effect on the honesty and behaviour of some in the court proceedings -
- I very much hope County Courts and others are shown, because the British legal system needs an overhaul, present system is very deceitful also lawyers and barristers should be more scrutinised -
- the innocent would be less easily persuaded to plead guilty. Greater public awareness would force improved legislation, inferior solicitors and counsel would lose livelihood, leading to a general raising of legal standards -
- the most important effect would be to show the appalling state of the British legal system in particular its farcical pettiness and the shambles of Parliament -
- Justice (and law making) should be seen to be done - ultimately some of the absurdities of court and Parliamentary procedures would be reformed -

Increase viewers' respect for judges

(24% agree, 47% disagree)

- Some time should be given to showing and explaining the activities and proceedings within the various courts, so as to eliminate the suspicion and fears which I feel the larger percentage of people have towards the judiciary. Anything shown as a form of "entertainment" as a TV programme, I can't believe would be taken too seriously -
- about Law Courts televising I feel it would make for a far more open and free society than we have now -
- People should be given the opportunity to see law in action and those responsible for its presentation should act responsibly and not debase nor sensationalise the proceedings at court or Parliament -

Other points: Entertainment/Catharsis

- I would very much like those programmes to be shown, it would be real and a lot better than all the repeats we keep getting -
- Many people would like to see Criminal Court cases shown on TV but only out of sensationalism - I for one would rather see these than political cases. But I think that if criminal cases were shown in full they could attract the wrong viewer -
- only big cases e.g. Yorkshire Ripper, Marie Pines case, etc, for the courts -
- I think the TV showing what goes on in the Law Courts, and the Parliament is very interesting to every one who watches TV -
- True happenings in court would be interesting like the Ripper so many would have liked to see if not the proceedings the sentence he received and to let the really bad people know we can see them and make them feel bad in them selfs -

APPENDIX TABLE 1 FACTOR ANALYSES FOR TWO SETS OF ATTITUDE ITEMS

QUESTION 4

On suitable occasions TV SHOULD SHOW:	Factor Number	
	<u>1</u>	<u>2</u>
Criminal court proceedings in full, live	.89	.19
Civil court proceedings, in full, live	.87	.19
Edited extracts from real criminal court proceedings (eg., theft, murder)	.85	.15
Edited extracts from real civil courts (eg., divorces, damages)	.83	.11
Edited extracts from House of Lords debates	.09	.88
Edited Extracts from House of Commons debates	.08	.84
House of Lords debates, in full, live	.21	.82
House of Commons debates, in full, live	.25	.80
Eigen values	4.1	1.9
% of total variance explained	50.9	24.0

QUESTION 5

If TV began regularly to broadcast real court proceedings, how likely is it that each of the following things might happen?

	Factor Number	
	<u>1</u>	<u>2</u>
Extracts for broadcast would concentrate on amusing or scandalous events, ignoring others	.79	.02
Participants in the case would start "acting up" for television and make legal proceedings more difficult	.78	.14
The dignity and privacy of relations of accused people might be harmed	.77	.06
Viewers would get to know much more of the truth about how courts work	-.07	.80
Viewers' respect for judges and their decisions would increase	.10	.77
There would be a good effect on the honesty and behaviour of all those in the court proceedings	.21	.74

Eigen values	32	2.21	1.50
% of total variance explained		36.8	25.0

APPENDIX TABLE 2

CORRELATION BETWEEN ATTITUDE AND VIEWING MEASURES

	Claimed No seen, of		Amt. learned from		TV should show		TV effects		Number of programmes seen in types						
	<u>Crown</u>	<u>Case</u>	<u>Crown</u>	<u>Case</u>	<u>Court</u>	<u>Parlt</u>	<u>PROTV</u>	<u>ANTIIV</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
Claimed No Seen of Crown Court	1.0	23***	63***	24***	13***	-.00	12**	-.02	** 18	*** 43	* 07	*** 29	*** 23	*** 17	*** 20
" Case On Camera		1.0	29***	77***	19***	09*	19***	-10*	06	06	09	** 12	** 11	*** 15	05
Claimed amount learned from seeing Crown Court			1.0	61***	24***	10*	35***	-13**	** 14	*** 28	* 08	*** 22	** 15	** 13	** 14
" " " Case On Camera				1.0	20***	15**	26***	-12*	** 15	* 11	09	** 14	03	* 10	06
Attitudes, that TV Should Show Courts					1.0	37***	50***	-43***	08	09	00	08	09	07	03
" " " " " Parliaments						1.0	21***	-12*	-04	-09	* -05	** -11	04	02	-03
" " TV will Benefit Court							1.0	-23***	06	08	06	07	10	06	07
" " " " Harm Court								1.0	-01	-01	-07	-01	03	-05	04

N = 828 maximum and 268 minimum

all values are with age, sex, class and educational level
simultaneously partialled out

all values are shown x 100

* p < 0.05 ** p < 0.01 *** p < 0.001

		Dependent Variables			
Claimed Learning from:		CROWN COURT	CASE ON CAMERA		
Multiple R		.72	.84		
Adjusted R squared		.49	.68		
F		25.05	34.74		
		Beta	Sig. T	Beta	Sig. T
Claimed Viewing of					
Crown Court		.57	.000	.21	.000
Case on Camera		.09	.029	.68	.000
Attitude Scales:					
Pro TV		.27	.000	.12	.004
Anti TV		-.03	NS	-.03	NS
Should show Parliament		()		()	"
Should show Courts		()		()	"
Demographic Status					
Sex		()		()	"
Age		()		.13	.002
Class		()		.09	.021
Education		()		()	NS
Diary Viewing Records					
Adventure/action		()		.16	.000
Soap opera		()		()	NS
Sport		()		()	"
Comedy, Light Ert.		()		()	"
News		()		-.13	.004
General Information		()		()	NS
Films, drama		()		()	NS

Note: () denotes a value of Beta yielding a value of T with a P value indicating a Probability of that arising 5 or more times in 100 cases. NS denotes such a P value of .05 or greater.

All measures are coded so that higher numerical values indicate more of the attribute described, except for Sex (1, male; 2 female), Class (1, ABC1; 3, DE) and Education defined as terminal age of full time education.

Measures correlated with each other	<u>Sex</u>	<u>Age</u>	<u>Class</u>	<u>Educ</u>	<u>Class</u> ^a	<u>Educ</u> ^b
Sex	1.0	-	-	-	-	-
Age	-.04	1.0	-	-	-	-
Class	.02	.10**	1.0	-	-	-
Education	-.06	-.37***	-.32***	1.0	-	-
Number of items seen, in						
Crown Court	.06	-.04	.15**	-.13**	.15***	-.07*
Case On Camera	-.09*	.11**	.09*	-.05	.13***	.08*
Learning Claimed, from						
Crown Court	.03	.05	.14**	-.14**	.16***	-.01
Case On Camera	-.04	.18***	.18***	-.13**	.21***	.09*
Attitudes:						
TV should show:						
Parliament	-.08*	-.15***	-.03	-.09*	-.00	.00
Courts	-.02	-.07*	.16***	-.14**	.17***	-.05
Pro TV	.03	.13***	.19***	-.25***	.20***	-.06
Anti TV	-.03	.10*	-.03	.01	-.02	.04

a: correlations simultaneously partialling out age, sex, education

b: correlations simultaneously partialling out age, sex, class

* p 0.05

** p 0.01

*** p 0.001

N = 828 maximum, 268 minimum

	<u>Pro TV</u>	<u>Anti TV</u>
TV should show Courts	.46	-.37
controlling for anti TV age, sex, class and education	pro TV	